

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

AMBROSIO & SIROIS VENTURE )  
PARTNERS LP, SERIES I, et al., )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
MARION BASS SECURITIES )  
CORPORATION, et al., )  
 )  
Defendants. )

Case No. 4:02CV00725 HEA

**PLAINTIFFS' MEMORANDUM IN SUPPORT OF PLAINTIFFS'**  
**MOTION TO WITHDRAW PREVIOUS DISMISSAL ORDER AND ENTER**  
**REVISED ORDER OF DISMISSAL FOR DEFENDANT SEAN HENRY**

On March 29, 2004, counsel received an Order from the Court requiring plaintiffs to, within fourteen days of the date of the Order, "file appropriate motions for entry of default and default judgment . . . ." against defendants Sean Henry and Robert Lewis, in the above-styled cause.

Coincidentally, plaintiffs had already finalized a settlement agreement with defendant Henry. Hence, plaintiffs, in partial response to the Court's order, filed with the Court a proposed order for dismissal with prejudice relating to Henry only.

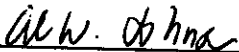
On Monday, March 28, 2004, plaintiffs' counsel received a letter from Thomas H. Ullmann, the attorney for Sean Henry. In his letter, Mr. Ullmann advised counsel that some additional language should be contained in the order of dismissal to protect his client against claims for indemnity or contribution from other defendants, pursuant to § 78u-4(f)(7)(A). Accordingly, counsel subsequently contacted Mr. Ullmann and revised the proposed dismissal order per the attached.

order per the attached.

On Tuesday, March 30, 2004, counsel contacted the Clerk of Court to explain the situation and also to determine when the Court could be seen informally by counsel to explain the situation and determine if the Court could sign the revised order, rather than the original one. In the meantime, the Court apparently signed the original order and provided a copy to counsel, via e-mail, on March 31, 2004.

The parties now request that the Court withdraw the order it signed on March 30, 2004 and replace it with the amended order, a copy of which is attached.

JOHNSON, FELLOWS, BLAKE & TERRY, L.L.C.

  
AL W. JOHNSON, #5386  
KELLY R. BAILEY, #107549  
University Club Tower, Suite 1380  
1034 S. Brentwood Boulevard  
St. Louis, Missouri 63117  
(314) 725-1600  
(314) 725-1609 [Facsimile]

and

DAVID S. HARRIS, ESQ.  
Fla. Bar No.: 0112739  
3669 Poinciana Avenue, Ste. #3A  
Coconut Grove, Florida 33133  
(786) 306-7278  
(305) 461-1671 [Facsimile]

Attorneys for Plaintiffs

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this the 1st day of April, 2004 a copy of the above was served via First Class U.S. Mail, postage prepaid, upon defendant Robert Lewis, 7105 Marcel Lane, Apt. 528, Charlotte, North Carolina 28226; Attorney for Defendant Sean Henry, Thomas H. Ullmann, 4210 Old Highway 94 South, St. Charles, Missouri 63304; and Marion Bass, 4104-B Bannockburn Place, Charlotte, NC 28211.

Al W. Johnson  
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